

A subcommittee of the Rhode Island Fire Safety Code Board of Appeal & Review met at their headquarters located at 1 Regan Court, Varley Building #46, Cranston, RI on Tuesday, January 29, 2008 at 1:00 P.M. Present were Chairman Coutu, Vice Chairman Newbrook and Commissioners O'Connell, Jasparro, Preiss, Jackson, Walker and Filippi. Also present were Executive Director Thomas Coffey and Deputy Director Carol Marsella. The following cases were heard.

APPEAL #s 070376, 070377, 070378: The Mount Vernon Company, for the apartment complex with buildings located at 105-115 Charles Street, 73-101 Charles Street and 400-456 North Main Street in Providence. ADSFMs Michalczyk and Dillon appeared for the Providence Fire Marshal's office. Vice Chairman Newbrook made a motion, seconded by Commissioner Walker to approve the Applicant's plan of action for this facility, according to the schedule presented by the Applicant's engineer. This plan is to include, but is not limited to, a fire watch in occupied portions of this facility from 10 pm to 7 am until compliance is achieved or the apartments are vacated. All work on the buildings are to be performed according to NFPA 101. This file is to be left open for the duration of the project. The motion was unanimous.

APPEAL #070552: Subsidized Properties IV, LP, for the property located at 15 Evergreen Drive, East Providence (Building 120). ADSFMs Powers, Carey and Bellamy appeared for the East Providence Fire Marshal's office. Commissioner Walker recused

himself from consideration of this case. After lengthy discussion, the Applicant's fire alarm representative noted that a 24 hour test would be performed pursuant to a previous ruling by the Board, and the Executive Director advised the Applicant that he may return before the Board on February 26, 2008 if necessary.

APPEAL #070533: Mr. Peter Dominguez, for the property located at 40 Technology Way, West Greenwich (Building HM-1). ADSFM Mark Vincent appeared for the Hopkins Hill Fire District. Vice Chairman Newbrook made a motion, seconded by Commissioners Jasparro, Filippi and O'Connell, to approve the Applicant's two requests, provided that a sump be installed and foam be available in case of a spill at the cited location. The motion passed over the objection of Commissioner Preiss.

APPEAL #050855A: Mr. Court Purrington, for the property located at 155 Ohio Avenue, Providence. ADSFMs Fournier and Silva appeared for the Providence Fire Marshal's office. Commissioner Jackson made a motion, seconded by Vice Chairman Newbrook, to grant the Applicant the following relief. Until the Zoning Board makes their determination, the Applicant is required to maintain smoke and CO detection with battery back-up within this facility, at the direction and to the satisfaction of the Providence Fire Marshal's office. If the Zoning Board rules that this facility may revert to a three-family dwelling, the fire code pertaining to that occupancy will be in force and effect. If the Zoning Board rules that this remain a mixed-use

facility, the fire codes pertaining to that mixed occupancy will be in force and effect. The motion passed over the objection of Commissioner Walker, and with Commissioner Filippi abstaining from the vote.

APPEAL #080006: Mr. Andrew Lombardi, for the property located at 895 North Main Street, Providence. ADSFMs Silva and Fournier appeared for the Providence Fire Marshal's office. Vice Chairman Newbrook made a motion, seconded by Commissioner Jasparro, that the Applicant either achieve separation between the business and apartments of this facility or install a compliant fire alarm system, and will address deficiencies 1, 2 and 3 at the direction and to the satisfaction of the Providence Fire Marshal's office, prior to re-occupancy. The motion was unanimous.

APPEAL #050251A: Ms. Joan Mayewski, for the property located at 586 North Main Street, Woonsocket. Capt. David Beaubien appeared for the Woonsocket Fire Marshal's office. Commissioner Jasparro made a motion, seconded by Vice Chairman Newbrook, to grant the Applicant a time extension of ninety (90) days in which to complete installation of a compliant fire alarm system and installation of domestically supplied sprinkler system, installed at the direction and to the satisfaction of the Woonsocket Fire Marshal's office.

APPEAL #050292: Mr. Manuel Benevides, for the property located at 514 Park Avenue, Portsmouth. ADSFMs Lynch and Simmons

appeared for the Portsmouth Fire Marshal's office. Commissioners Walker, Filippi and O'Connell made a motion, seconded by Vice Chairman Newbrook, to grant the following relief. A variance is granted to allow the Applicant to maintain the stairway leading to the basement in its current state, providing there is no public occupancy of the basement. A variance, based on structural hardship, is granted to allow the Applicant to maintain the headroom on the stairs to the basement. The Applicant is granted a time variance of ninety (90) days to provide domestically supplied sprinkler heads over the boiler of this facility. The motion was unanimous.

APPEAL #050436: Mr. Gary Rahilly, for the property located at 1620 West Main Road, Portsmouth. ADSFM Phillip Simmons appeared for the Portsmouth Fire Marshal's office. Commissioner Jackson made a motion, seconded by Commissioners Walker and Filippi, to grant the Applicant a time variance of ninety (90) days in which to provide the walls and ceiling with a flame spread rating and to provide a sprinkler head over the boiler of this facility. The motion was unanimous.

APPEAL #080007: Newport Water Division, for the property located at 2154 West Main Road, Portsmouth. ADSFM Phillip Simmons appeared for the Portsmouth Fire Marshal's office. Commissioner Walker made a motion, seconded by Vice Chairman Newbrook, to grant the Applicant's request for a variance from the provisions of NFPA 1, Chapter 60 in order that they might install a 6,000 gallon above ground storage tank located in an outside storage area on the

property. The motion was unanimous.

APPEAL #080023: Struever Brothers Eccles & Rouse, Inc., for the property located at 555 Valley Street, Providence. The Providence Fire Marshal's office was not represented in person, but by letter, ADSFM Richard Silva testified that he had no objection to a one time change of use for a February 9, 2008 event at that facility. Vice Chairman Newbrook made a motion, seconded by Commissioner Filippi, to approve the Applicant's request. The motion was unanimous.

Under old business, Vice Chairman Newbrook made a motion, seconded by Commissioner Filippi, to approve the subcommittee's recommendations for the property located at 54 Water Street in East Providence, and to approve the amended decision for the property located at 10 Pier Road in East Providence. The motion was unanimous.

Respectfully submitted,

Carol Marsella